

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO, WESTERN DIVISION**

STEPHANIE LEIGH WHITAKER,	)	CIVIL COMPLAINT
et al.	)	
	)	
Plaintiffs,	)	Case No. 1:18-cv-00540-WOB
	)	
v.	)	
	)	
JUDGE JOSEPH W. KIRBY,	)	JUDGE WILLIAM O. BERTELSMAN
	)	
Defendant.	)	

**REPLY IN SUPPORT OF PLAINTIFFS' MOTION FOR EXPEDITED HEARING**

The legal issues and relief sought in this case are narrow, but the harm to Plaintiffs' children is significant. Because injunctive relief is unavailable an expedited trial schedule is essential to remedy that harm. *See* Doc. 20 & Doc. 20-1.

As demonstrated by Plaintiffs' proposed declaratory judgment order (Doc. 38), Plaintiffs do not seek to overturn Judge Kirby's decision in the name-change action filed by the Whitakers. Instead, Plaintiffs seek equal treatment of the name-change petitions they filed, or will file, on behalf of their transgender children in a manner that is consistent in all respects with Defendant's treatment of the name-change applications of non-transgender minors. Judge Kirby already conceded that he treats name-change petitions filed on behalf of transgender minors "differently" than name-change petitions for non-transgender minors. Doc. 30, PAGEID: 236, 245. The proposed declaratory judgment addresses Judge Kirby's conduct that Plaintiffs allege violates the Equal Protection Clause of the United States Constitution.

Given the limited scope of this case, Plaintiffs are confident that the case can be

completed on an expedited basis. Plaintiffs concur with Judge Kirby's representation that the parties should be able to reach agreement on issues the parties anticipate may arise, avoiding delays in the trial schedule set by the Court. Counsel for Plaintiffs look forward to discussing this further with opposing counsel, as well as any other potential issues, as part of a Rule 26(f) conference.

For these reasons, Plaintiffs respectfully request that the Court set an expedited trial schedule to avoid further harm to Plaintiffs' transgender children.

Respectfully submitted,

/s/ Joshua R Langdon

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**CERTIFICATE OF SERVICE**

I, Joshua Langdon, Esq., do hereby certify that on this 12th day of October, 2018, I caused true and correct copies of the foregoing to be filed via the Court's CM/ECF system, causing service on all counsel of record.

/s/ Joshua R Langdon